

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

**JOHN HANCOCK LIFE INSURANCE  
COMPANY (U.S.A.) f/k/a John Hancock  
Life Insurance Company**

**Plaintiff,**

**v.**

**THE ESTATE OF JENNIFER LAUREN  
WHEATLEY, et al.**

**Defendants.**

**Case No. 4:18-CV-02869**

**PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO FILE A SUPPLEMENTAL  
BRIEF AND DECLARATION IN SUPPORT OF ITS MOTION FOR AWARD OF  
ATTORNEYS’ FEES (ECF 77)**

Plaintiff John Hancock Life Insurance Company, USA, f/k/a Manufacturers Life Insurance Company (“John Hancock”) moves this court for leave to file a supplemental brief and declaration in support of its Motion for Award of Attorneys’ Fees (ECF 77, 97) to supplement the record on Plaintiffs’ attorneys’ fees expended since the Motion was originally filed. For the reasons set forth below, Plaintiff asks the court to sustain its motion:

1. John Hancock filed its original Motion for Award of Attorneys’ Fees and Expenses on September 18, 2019 (ECF 77) and Reply in Support on October 23, 2019 (ECF 97).

2. Since that time, John Hancock has expended significant additional attorneys’ fees defending against Defendant the Estate of Jennifer Lauren Wheatley’s (“the Wheatley Estate”) largely baseless counterclaims, along with issues raised by Defendant Jeremy Ward (“Ward”).

3. John Hancock also seeks to provide the Court with additional authority in support of an award of attorneys’ fees in addition to those fees expended in preparing and filing the interpleader claim.

4. A true and accurate copy of the supplemental brief and affidavit are attached hereto as Exhibit 1.

5. Counsel for John Hancock has consulted with counsel for the Wheatley Estate and the Wheatley Estate does not oppose this Motion for Leave but does oppose the underlying relief sought by the supplemental brief and affidavit.

WHEREFORE, John Hancock respectfully requests this Court grant its motion for leave and for such other and further relief as the Court deems just and proper.

Dated: July 14, 2020

Respectfully submitted,

BRYAN CAVE LEIGHTON PAISNER LLP

By: /s/ Jennifer L. Berhorst

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 14, 2020, the foregoing was served upon all counsel of record through CM/ECF filing system.

/s/ Jennifer L. Berhorst  
Attorney for Plaintiff